

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF ALASKA**

WILLIAM CAROL CLARKE,

Plaintiff,

vs.

RACHEL MADDOW, Media,

MIKA BRZEZINSKI, Media,

AINSLEY EARHARDT, Media,

SANDRA SMITH, Media,

MARTHA MACCALLUM, Media,

SHANNON BREAM, Media,

JULIE BANDERAS, Media,

HARRIS FAULKNER, Media,

CATHERINE PAVLICH, Media,

RYAN TANSEY, US Prosecutor;  
TIM COOK, Apple Inc. Board CEO;  
AMY SITAEI, CNN Board of  
Directors; and CNBC, Corporation,

WOLF BLITZER, Media,

ANA CABRERA, Media,

RACHEL MADDOW, Media,

NPR, Corporation,

CNN INTERNATIONAL,  
Corporation,

Case No. 1:22-cv-00007-RRB

Case No. 1:22-cv-00008-RRB

Case No. 1:22-cv-00009-RRB

Case No. 1:22-cv-00010-RRB

Case No. 1:22-cv-00011-RRB

Case No. 1:22-cv-00012-RRB

Case No. 1:22-cv-00013-RRB

Case No. 1:22-cv-00014-RRB

Case No. 1:22-cv-00015-RRB

Case No. 1:22-cv-00016-RRB

Case No. 1:22-cv-00017-RRB

Case No. 1:22-cv-00018-RRB

Case No. 1:22-cv-00019-RRB

Case No. 1:22-cv-00020-RRB

Case No. 1:22-cv-00021-RRB

TWITTER, Corporation,

CNBC,

MSNBC, Corporation,

FOX NEWS, Corporation,

CNN, Corporation,

APPLE INC.,

GRETCHEN WHITMER, Governor;  
DANA NESSEL, Attorney General;  
and MONIQUE COTTRELL,

KATHY HOCHUL, Governor;  
LETITA JAMES, Attorney General;  
and COREY BOOKER, Senator,

MELISSA LEE,

MARIYA LOVISHCHUK, Executive  
Director, TGH; CHLOE PAPIER,  
Deputy Director; MICHAEL  
BLACKWELL; and RODNEY  
JACKSON,

DOUG RATHER,

MATHEW LEITHER,

HANNA FYLPAA,

JOHN BURSELL,

MICHAEL DUNLEAVY, Governor;  
TREG TAYLOR, Attorney General;  
BETH WELDON, Mayor of Juneau;  
ED MERCER, Chief of Police;

Case No. 1:22-cv-00022-RRB

Case No. 1:22-cv-00023-RRB

Case No. 1:22-cv-00024-RRB

Case No. 1:22-cv-00025-RRB

Case No. 1:22-cv-00026-RRB

Case No. 1:22-cv-00027-RRB

Case No. 1:22-cv-00028-RRB

Case No. 1:22-cv-00029-RRB

Case No. 1:22-cv-00030-RRB

Case No. 1:22-cv-00031-RRB

Case No. 1:22-cv-00032-RRB

Case No. 1:22-cv-00033-RRB

Case No. 1:22-cv-00034-RRB

Case No. 1:22-cv-00035-RRB

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CHRISTOPHER WRAY, Director of the FBI; MERRICK GARLAND, Attorney General United States; DICK DURBIN, Congressional Member; JEN PSAKI, White House Press Secretary; PETER MICCICHE, AK Legislature; DAVID EASTMAN, AK Legislature; CHRIS TUCK, Alaska Legislature; MIA COSTELLO, AK Legislature; LISA MURKOWSKI, Congress; DAN SULLIVAN, Congress; CHUCK SCHUMER, Congress; MITCH MCCONNELL, Congress; LINDSAY GRAHAM, Congress; NANCY PELOSI, Congress; ADAM SCHIFF, Congress; RICHARD BLUMENTHAL; SHEILA JACKSON LEE, Congress; LIZ CHENEY, Congress; CHRIS VANHOLLEN, Congress; AMY KLOBUCHAR, Congress,

CHRIS GIFFORD, Sergeant,

MARIA GLADZISZEWSKI, City Assembly; CAROLE TRIEM, City Assembly; BARBRA BLAKE, City Assembly; ALICIA HUGHES-SKANDIJS, City Assembly; GREG SMITH, City Assembly; WADE BRYSON, City Assembly; MICHELLE BONNET HALE, City Assembly; CHRISTINE WOLL, City Assembly; KRAIG CAMPBELL, Lieutenant; ERANN KALWARA, Public Safety Manager; JENNIFER PASKOWSKI, Administrative Officer; and PATTI RUMFELT,

GLORY HALL, Homeless Shelter,

Case No. 1:22-cv-00037-RRB

Case No. 1:22-cv-00038-RRB

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JIM QUINTO, Police Officer,

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KEVIN MEYER, Lt. Governor;  
SHELLEY HUGHES, Senator; TOM  
BEGICH, Senator; CLICK BISHOP,  
Senator; ELVI GRAY-JACKSON,  
Senator; LYMAN HOFFMAN;  
Senator; ROGER HOLLAND,  
Senator; SCOTT KAWASAKI,  
Senator; JESSE KIEHL, Senator;  
ROBERT MEYERS, Senator;  
DONNY OLSON, Senator; BILL  
WIELE CHOWSKI, Senator; DAVIS  
WILSON, Senator; LOUISE  
STUTES, Representative; CATHY  
TILTON, Representative; BEN  
CARPENTER, Representative;  
MIKE CRONK, Rep.; HARRIET  
DRUMMOND, Rep.; BRYCE  
EDGMON, Rep; ZACK FIELDS,  
Rep.; Neal Foster, Rep.; RONALD  
GILLHAM, Rep.; SARA HANNAN,  
Rep.; GRIER HOPKINS, Rep.;  
DELENA JOHNSON, Rep.; KEN  
MCCARTY, Rep.; TOM MCKAY,  
Rep.; KELLY MERICK, Sen.;  
DAVID NELSON, Rep.; DAN  
ORTIZ, Rep.; JOSIAH PATKOTAK,  
Rep.; MIKE PRAX, Rep.; SARA  
RASSMUSSEN, Rep.; GEORGE  
RAUSCHER, Rep.; CALVIN  
SCHRAGE, Rep.; LADDIE SHAW,  
Rep.; LIZ SNYDER, Rep.; IVY  
SPOHNHOLZ, Rep.; ANDI STORY,  
Rep.; GERAN TARR, Rep.; STEVE  
THOMPSON, Rep.; SARAH  
VANCE, Rep.; and ADAM WOOL,  
Rep.,

Case No. 1:22-cv-00041-RRB

MITT ROMNEY, Senator; TAMMY BALDWIN; JOHN BARRASSO, Senator; MICHAEL F. BENNET, Senator; MARSHA BLACKBURN, Senator; RICHARD BLUMENTHAL, Senator; ROY BLUNT, Senator; CORY A. BOOKER, Senator; JOHN BOOZMAN, Senator; MIKE BRAUN, Senator; SHERROD BROWN, Senator; RICHARD BURR, Senator; MARIA CANTWELL, Senator; SHELLEY MOOR CAPITO, Senator; BENJAMIN L. CARDIN, Senator; THOMAS R. CARPER, Senator; ROBERT P. CASEY, JR., Senator; BILL CASSIDY, Senator; SUSAN COLLINS, Senator; CHRISTOPHER A. COONS, Senator; TIFFANY ZULKOSKY, Representative; LORA REINBOLD; JOSH REVAK; MIKE SHOWER; BERT STEDMAN; GARY STEVENS; NATASHA VON IMHOF; ANDY JOSEPHSON; JAMES KAUFMAN; CHRISTOPHER KURKA; BARTON LEBON; KEVIN MCCABE; JOHN CORNYN, Senator; CATHERINE CORTEZ MASTO, Senator; TOM COTTON, Senator; KEVIN CRAMER, Senator; MIKE CRAPO, Senator; TED CRUZ, Senator; STEVE DAINES, Senator; TAMMY DUCKWORTH, Senator; RICHARD J. DURBIN, Senator; JONI ERNST, Senator; DIANE FEINSTEIN, Senator; DEB FISCHER, Senator; CHUCK GRASSLEY, Senator; BILL HAGERTY, Senator; KRISTEN GILLIBRAND, Senator; LINDSEY

GRAHAM, Senator; MARGARET WOOD HASSAN, Senator; JOSH HAWLEY, Senator; MARTIN HEINRICH, Senator; JOHN W. HICKENLOOPER, Senator; MAZIE HIRONO, Senator; JOHN HO EVEN, Senator; CINDY HYDE-SMITH, Senator; JAMES INHOFE, Senator; RON JOHNSON, Senator; TIM KAINE, Senator; MARK KELLY, Senator; JOHN KENNEDY, Senator; ANGUS S. KING, JR., Senator; AMY KLOBUCHAR, Senator; JAMES LANKFORD, Senator; PATRICK LEAHY, Senator; MIKE LEE, Senator; BEN RAY LUJAN, Senator; CYNTHIA M. LUMMIS, Senator; JOE MANCHIN, Senator; EDWARD J. MARKEY, Senator; ROGER MARSHALL, Senator; MITCH MCCONNELL, Senator; ROBERT MENENDEZ, Senator; JEFF MERKLEY, Senator; JERRY MORAN, Senator; LISA MURKOWSKI, Senator; CHRISTOPHER MURPHY, Senator; PATTY MURRAY, Senator; JON OSSOFF, Senator; ALEX PADILLA, Senator; RAND PAUL, Senator; GARY C. PETERS, Senator; ROB PORTMAN, Senator; JACK REED, Senator; JAMES E. RISCH, Senator; JACKY ROSEN, Senator; MIKE ROUNDS, Senator; MARCO RUBIO, Senator; BERNARD SANDERS, Senator; BEN SASSE, Senator; BRIAN SCHATZ, Senator; CHARLES E. SCHUMER, Senator; RICK SCOTT, Senator; TIM SCOTT, Senator; JEANNE SHAHEEN, Senator;

RICHARD C. SHELBY, Senator;  
KRYSTEN SINEMA, Senator; TINA  
SMITH, Senator; DEBBIE  
STABENOW, Senator; DAN  
SULLIVAN, Senator; JON TESTER,  
Senator; JOHN THUNE, Senator;  
THOM TITLIS, Senator; PATRICK  
TOOMEY, Senator; TOMMY  
TUBERVILLE, Senator; CHRIS  
VANHOLLEN, Senator; MARK  
WARNER, Senator; RAPHAEL G.  
WARNOCK, Senator; ELIZABETH  
WARREN, Senator; SHELDON  
WHITEHOUSE, Senator; ROGER  
F. WICKER, Senator; RON  
WYDEN, Senator; and TODD  
YOUNG, Senator,

ERIN BURNETT, Media,

GLORY HALL,

CHLOE M. PAPIER, Deputy  
Director,

GLORY HALL,

MARIYA LOVISHCHUK, Director  
Glory Hall; NICK MCKINLEY; and  
JOHN DAY, SR.,

GLORY HALL,

FEDERAL BUREAU OF  
INVESTIGATIONS; FEDERAL  
COMMUNICATIONS  
COMMISSION; SOCIAL  
SECURITY ADMINISTRATION;  
GCI; TAD PALIN; WILLOW PALIN;  
JENNIFER SEZSPANSKI; JOE  
CROPLEY; JERRY CROPLEY;

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Case No. 1:22-cv-00044-RRB

Case No. 1:22-cv-00045-RRB

Case No. 1:22-cv-00046-RRB

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FRANK MILLER; DUANE MILLER;  
KAREN MILLER; DONALD  
TRUMP; MELANIA TRUMP;  
BARRON TRUMP; IVANKA  
TRUMP; LOUIES DOUGLASS INN;  
JUNEAU TAXI; GLACIER TAXI &  
TOURS; NEW YORK POLICE  
DEPARTMENT; MISTY CHURCH;  
JOSH SMITH; JOSH COOK; JOHN  
MOSS; ELIZABETH CROPLEY;  
LEE MILLER; TAPIA CHURCH;  
PETER CHURCH; WELLS FARGO  
BANK; FIRST NATIONAL BANK  
ALASKA; JOE BIDEN, President;  
KAMALA HARRIS, Vice President;  
VALLEY BREEZE IN; DOUGLAS  
BREEZEIN; ADMIRALTY  
CONSTRUCTION; HOME LIQUOR  
& DELI; IKES FUEL; TAKU  
SMOKERIES; TRACY'S KING  
CRAB SHACK; BEN CRUMP;  
MORGAN & MORGAN; OFFICE  
OF CHILDRENS SERVICES;  
JOHNSON YOUTH CENTER;  
JUNEAU YOUTH SERVICES;  
ANCHORAGE POLICE  
DEPARTMENT; WASILLA POLICE  
DEPARTMENT; SEWARD POLICE  
DEPARTMENT; ALASKA DIVISION  
OF PUBLIC ASSISTANCE; PUBLIC  
ASSISTANCE DIVISION; BETHEL  
DIVISION OF PUBLIC  
ASSISTANCE; KENAI PUBLIC  
ASSISTANCE DIVISION; JUNEAU  
FIRE STATION; JUNEAU SCHOOL  
DISTRICT; ERIC ADAMS; JUNEAU  
EMPIRE; ANCHORAGE DAILY  
NEWS; NEW YORK TIMES;  
WASHINGTON POST; SEATTLE  
TIMES; KTOO; DUTCH KNIGHT;  
KAREN WRIGHT; MANDY



MASSEY; CAPITAL TRANSIT;  
SARAH PALIN; KXLJ; KINY;  
MARTY MCKEOWN; SECON  
SOUTHEAST ALASKA;  
MOUNTAINSIDE URGENT CARE;  
FRED MEYER; FOODLAND IGA;  
GOLDBELT TRAM; JEWELERS  
INTERNATIONAL; RED LADY;  
WINGS AIRWAYS & TAKU  
GLACIER LODGE; SECURITIES &  
EXCHANGE COMMISSION;  
BARTLETT REGIONAL HOSPITAL;  
SOUTH EAST ALASKA REGIONAL  
HEALTH CONSTORTIUM;  
DISABILITY LAW CENTER OF  
ALASKA; ANGIE KEMP; EMILY  
WRIGHT, Magistrate; AMY  
FENSKE; PHILIP PALLENBERG,  
Judge; JAMES MOSS; FRANK  
SARANOVICH; VINCE ISTURIS;  
HEATHER BRIGGS; CODY SHAW;  
ROGER BRAINES; GARY  
DURLING; TAMMY DURLING;  
ADAN MENDOZA, Chief of Police;  
JUNEAU PUBLIC  
LIBRARYALASKA STATE  
LIBRARY & HISTORICAL  
COLLECTIONS; DOUGLAS  
PUBLIC LIBRARY; MIA-MALIKA  
HENDERSON; US  
PROSECUTORS; MICHEL  
MOORE; LERONNE  
ARMSTRONG, Chief of Police;  
BRIANNA KEILAR; ABBY PHILLIP;  
RICHARD QUEST; FREDRICKA  
WHITEFIELD, Media; KATE  
BOULDAN, Media; PAMELA  
BROW, Media; SANJAY GUPTA,  
Media; VAN JONES, Media;  
ALISYN CAMEROTA, Media; JULIA  
CHATERLY, Media; SE CUPP,

Media; CHRISTINE AMANPOUR, Media; JOHN AVLON, Media; DAVID AXELROD, Media; Dana Bash, Media; SEAN HANNITY, Media; TUCKER CARLSON, Media; JESSIE WATERS, Media; JIM ACOSTA, Media; AL SHARPTON, Media; KATIE TUR, Media; CHUCK TODD, Media; JEN PSAKI, Media; RED DOG SALOON; GARY'S FINE JEWELRY; HICKOK'S TRADING CO.; DIMONDS INTERNATIONAL; ALASKA STATE TROOPERS; JUNEAU POLICE DEPARTMENT; ALASKA DEPARTMENT OF PUBLIC SAFETY; and MICHAEL DUNLAP,

ALASKA DEPARTMENT OF LABOR; ALASKA DEPARTMENT OF FISH & GAME; and ALASKA STATE COMMISSION FOR HUMAN RIGHTS,

BRETT KAVANAUGH, US Supreme Justice; SAMUEL A. ALITO, JR., US Supreme Justice; AMY CONEY BARRETT, US Supreme Justice; and KETANJI BROWN JACKSON, US Supreme Justice,

GAVIN NEWSOM, Governor; ELENI KOUNALAKIS, Lt. Governor; ROB BONTA, US Attorney; TRACY WILKISON, US Attorney; KANYE WEST, Music; ADAM LEVINE, Singer; KELLY CLARKSON, Singer; KELLY OSBOURNE, Singer; DWAYNE ROCK JOHNSON, Actor; KYLIE JENNER, Actress;

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Case No. 1:22-cv-00051-RRB

Case No. 1:22-cv-00052-RRB

KENDALL JENNER, Actress;  
CAITLYN JENNER; TOM CRUISE;  
JASON STATHAM; SYLVESTER  
STALLONE, Actor; CUBA  
GOODING JR., Actor; MICHAEL  
DOUGLAS, Actor; KID ROCK,  
Musician; CHERYL CROW; ALICIA  
KEYS, Musician; TONY LOC,  
Singer; SNOOP DOG, Singer; LL  
COOL J, Actor; BOBBY BROWN,  
Singer; TYLER PERRY, Actor;  
TYRA BANKS; QUEEN LATIFAH,  
Actress; BRUNO MARS, Singer;  
ALEC BALDWIN; DOLPH  
LUNDGREN, Actor; MELISSA  
MCCARTHY, Actress; MICHAEL J.  
FOX; KEVIN SPACEY, Actor; VIN  
DIESEL, Actor; MATT DAMON,  
Actor; MATHEW MCCONAUGHEY,  
Actor; EDDIE MURPHY, Actor;  
WILL SMITH, Actor; ADAM  
SADDLER, Actor; CATHERINE  
ZETA-JONES, Actress; DEMI  
MOORE, Actress; JENNIFER  
ANISTON, Actress; BRAD PITT,  
Actor; GEORGE CLOONEY, Actor;  
ROBERT DENIRO, Actor; AL  
PACINO, Actor; RAY LIOTTA,  
Actor; KURT RUSSELL, Actor;  
GOLDIE HAWN, Actress; MILA  
KUNIS, Actress; ASHTON  
KUTCHER, Actor; and BRUCE  
WILLIS, Actor,

JO ANNE B. BARNHART,

MAGGIE GERRADI, Librarian; and  
WILLIE QUESTION LAST NAME,

Case No. 1:22-cv-00053-RRB

Case No. 1:22-cv-00056-RRB

BETH WELDON, Mayor; CAPITAL  
TRANSIT; and JUNEAU PUBLIC  
LIBRARY,

U.S. DISTRICT COURT,

FEDERAL BUREAU OF  
INVESTIGATIONS,

MERRICK GARLAND,

RICHARD BURNS; KXJ; KELLY  
PERES; and JEFF MCCOY,

KATHY MUNOZ,

FEDERAL BUREAU OF  
INVESTIGATIONS; JOHN E.  
KUHN, JR., U.S. Prosecutor;  
MICHAEL JAHNSEN; and GLENN  
BO,

SHAQUILLE O'NEAL,

HILL VIEW APARTMENTS;  
CEDAR PARK APARTMENTS;  
GENEVA WOODS; CHANNEL  
TERRACE APARTMENTS,

JACKIE CHAN,

FRANK DOLAN, Police Officer,

LUKE VERMAN,

SYLVIA KOHLHASE and JASON  
KOHLHASE,

MARK CHOATE, Lawyer; and JON  
CHOATE, Lawyer,

Case No. 1:22-cv-00057-RRB

Case No. 1:22-cv-00060-RRB

Case No. 1:22-cv-00061-RRB

Case No. 1:22-cv-00062-RRB

Case No. 1:22-cv-00063-RRB

Case No. 1:22-cv-00064-RRB

Case No. 1:22-cv-00065-RRB

Case No. 1:22-cv-00066-RRB

Case No. 1:22-cv-00067-RRB

Case No. 1:22-cv-00068-RRB

Case No. 1:22-cv-00069-RRB

Case No. 1:22-cv-00070-RRB

Case No. 1:22-cv-00071-RRB

Case No. 1:22-cv-00072-RRB

BUTCH KAHKALEN,	Case No. 1:22-cv-00073-RRB
JULIA ROBERTS, Actress; JAKE TAPPER; STEVEN BO; and LYNN JOHNSON,	Case No. 1:22-cv-00074-RRB
KEVIN A. WILLIAMS,	Case No. 1:22-cv-00075-RRB
COREY COX, M.D.; DAVID UNKNOWN, Nurse; and FRONT STREET CLINIC, Medical,	Case No. 1:22-cv-00076-RRB
LEE WHITE, Police Chief,	Case No. 1:22-cv-00077-RRB
ADAM LEVINE,	Case No. 1:22-cv-00078-RRB
BILL O'REILLY, Media,	Case No. 1:22-cv-00079-RRB
LAWRENCE O'DONNELL, Media,	Case No. 1:22-cv-00080-RRB
ALEX WAGNER,	Case No. 1:22-cv-00081-RRB
AMY GOODMAN, Media; JUAN GONZALES, Media; CASEY GROVE, Media; JENNIFER PEMBERTON, Media,	Case No. 1:22-cv-00082-RRB
BRIAN WILLIAMS,	Case No. 3:22-cv-00091-RRB
JOY REID,	Case No. 3:22-cv-00092-RRB
ANDREA MITCHELL,	Case No. 3:22-cv-00093-RRB
CHRIS HAYES,	Case No. 3:22-cv-00094-RRB
CHRIS MATHEWS,	Case No. 3:22-cv-00095-RRB
WILLIE GEIST,	Case No. 3:22-cv-00096-RRB
ALEX WITT,	Case No. 3:22-cv-00097-RRB

NICOLE WALLACE,

Case No. 3:22-cv-00098-RRB

KIRSTEN WELKER,

Case No. 3:22-cv-00099-RRB

ALI VELSHI,

Case No. 3:22-cv-00100-RRB

FOX NEWS, Media & Company;  
MSNBC, Media & Company; CNN  
INTERNATIONAL, Media &  
Company; and ABC TELEVISION,  
Media & Company,

Case No. 3:22-cv-00105-RRB

JIM SCIUTTO,

Case No. 3:22-cv-00106-RRB

POPPY HARLOW,

Case No. 3:22-cv-00107-RRB

DANA PERINO,

Case No. 3:22-cv-00108-RRB

GREG GUTFELD,

Case No. 3:22-cv-00109-RRB

RON DESANTIS, Governor;  
DANIELLA LEVINE CAVA, Mayo;  
MARCO RUBIO, Senator; and  
DEBBIE WASSEMAN SCHULTZ,  
Congress,

Case No. 3:22-cv-00110-RRB

JACK SCHMIDT, US Prosecutor;  
DAVID CAMPBELL, Deputy Chief  
of Police; SCOTT ERICKSON,  
Lieutenant; and JEREMY WESKE,  
Lieutenant,

Case No. 3:22-cv-00111-RRB

MAXINE WATERS, US House;  
JOHN TUNE, Senator; MARSHA  
BLACKBURN, US Senator; JERRY  
CARL, US House; DIANA  
HARSHBARGER, U.S. House; TIM  
BURCHETT, U.S. House; TOM  
RICH, U.S. House; DUSTY  
JOHNSON, U.S. House; WILLIAM  
TIMMONS, U.S. House; RALPH

Case No. 3:22-cv-00115-RRB

NORMAN, U.S. House; JOE  
WILSON, U.S. House; JEFF  
DUNCAN, U.S. House; JIM LANG  
EVIN, U.S. House; NANCY MACE,  
U.S. House; JENNIFER  
GONZALEZ-COLON, U.S. House;  
DAVID N. CICILLINE, U.S. House;  
CONOR LAMB, U.S. House;  
MICHAEL DOYLE, U.S. House;  
GLENN THOMPSON, U.S. House;  
MIKE KELLY, U.S. House; JOHN  
JOYCE, U.S. House; GUY  
RESCHENTHALER, U.S. House;  
LLOYD SMUCKER, U.S. House;  
FRED KELLER, U.S. House;  
CHRISS HOULAHAN, U.S. House;  
SCOTT PERRY, U.S. House;  
MADELEINE DEAN, U.S. House;  
MARY GAY SCANLON, U.S.  
House; BRANDAN BOYLE, U.S.  
House; DWIGHT EVANS, U.S.  
House; KURT SCHRADER, U.S.  
House; BRIAN FITZPATRICK, U.S.  
House; EARL BLUMENAUER, U.S.  
House; PETER DEFAZIO, U.S.  
House; SUZANNE BONAMICI, U.S.  
House; CLIFF BENTZ, U.S. House;  
TOM COLE, U.S. House;  
STEPHANIE BICE, U.S. House;  
MARK WAYNE MULLIN, U.S.  
House; FRANK LUCAS, U.S.  
House; ANTHONY GONZALEZ,  
U.S. House; KEVIN HERN, U.S.  
House; DAVID JOYCE, U.S. House;  
MIKE CAREY, U.S. House; TROY  
BALDERSON, U.S. House; TIM  
RYAN, U.S. House; MICHHAEL  
TURNER, U.S. House; SHONTEL  
BROWN, U.S. House; WARREN  
DAVIDSON, U.S. House; MARCY  
KAPTUR, U.S. House; BILL

JOHNSON, U.S. House; BOB  
GIBBS, U.S. House; JIM JORDAN,  
U.S. House; BOB LATTA, U.S.  
House; BRAD WENSTRUP, U.S.  
House; JOYCE BEATTY, U.S.  
House; KELLY ARMSTRONG, U.S.  
House; STEVE CHABOT, U.S.  
House; ALMA ADAMS, U.S. House;  
TED BUDD, U.S. House; PATRICK  
T. MCHENRY, U.S. House;  
MADISON CAWTHORN, U.S.  
House; RICHARD HUDSON, U.S.  
House; DAN BISHOP, U.S. House;  
JEFF VAN DREW, U.S. House;  
ANNIE KUSTER, U.S. House;  
DONALD NORCROSS, U.S.  
House; STEVEN HORSFORD, U.S.  
House; CHRIS PAPPAS, U.S.  
House; MARK AMODEI, U.S.  
House; SUSIE LEE, U.S. House;  
ADRIAN SMITH, U.S. House; DINA  
TITUS, U.S. House; MATT  
ROSENDAIRE, U.S. House; DON  
BACON, U.S. House; BILLY LONG,  
U.S. House; JASON SMITH, U.S.  
House; EMANUEL CLEAVER, U.S.  
House; SAM GRAVES, U.S. House;  
BLAINE LUETKEMEYER, U.S.  
House; VICKY HARTZLER, U.S.  
House; CORI BUSH, U.S. House;  
ANN WAGNER, U.S. House;  
MICHAEL GUEST, U.S. House;  
STEVEN PALAZZO, U.S. House;  
TRENT KELLY, U.S. House;  
BENNIE THOMPSON, U.S. House;  
MICHELLE FISCHBACH, U.S.  
House; PETE STAUBER, U.S.  
House; IIHAN OMAR, U.S. House;  
TOM EMMER, U.S. House; DEAN  
PHILLIPS, U.S. House; BETTY  
MCCOLLUM, U.S. House;



BRENDA LAWRENCE, U.S. House;  
ANGIE CRAIG, U.S. House;  
DEBBIE DINGELL, U.S. House;  
RASHIDA TLAIB, U.S. House; LISA  
MCCLAIN, U.S. House; HALEY  
STEVENS, U.S. House; ELISSA  
SLOTKIN, U.S. House; ANDY  
LEVIN, U.S. House; DAVID PRICE,  
U.S. House; TIM WALBERG, U.S.  
House; DEBORAH ROSS, U.S.  
House; GREGORY MURPHY, U.S.  
House; ELANOR HOLMES  
NORTON, U.S. House; G.K.  
BUTTERFIELD, U.S. House;  
BRIAN HIGGINS, U.S. House;  
CHRISTOPHER JACOBS, U.S.  
House; JOHN KATKO, U.S. House;  
JOSEPH MORELLE, U.S. House;  
CLAUDIA TENNEY, U.S. House;  
TOM REED, U.S. House; PAUL  
TONKO, U.S. House; ELISE  
STEFANIK, U.S. House; JAMAAL  
BOWMAN, U.S. House;  
MONDAIRE JONES, U.S. House;  
SEAN MALONEY, U.S. House;  
ANTONIO DELGADO, U.S. House;  
ADRIANO ESPILLAT, U.S. House;  
RITCHIE TORRES, U.S. House;  
NICOLE MALLIOTAKIS, U.S.  
House; CAROLYN B. MALONEY,  
U.S. House; YVETTE CLARKE,  
U.S. House; JERROLD NADLER,  
U.S. House; NYDIA VELAZQUEZ,  
U.S. House; HAKEEM JEFFRIES,  
U.S. House; GRACE MENG, U.S.  
House; ANDREW GARBARINO,  
U.S. House; YVETTE HERRELL,  
U.S. House; GREGORY W.  
MEEKS, U.S. House; KATHLEEN  
RICE, U.S. House; TOM SUOZZI,  
U.S. House; LEE ZELDIN, U.S.

House; TERESA LEGER  
FERNANDEZ, U.S. House;  
BONNIE WATSON COLEMAN,  
U.S. House; RICK CRAWFORD,  
U.S. House; JOHN GARAMENDI,  
U.S. House; FRENCH HILL, U.S.  
House; JARED HUFFMAN, U.S.  
House; DOUG LAMALFA, U.S.  
House; DEBBIE LESKO, U.S.  
House; TOM MALINOWSKI, U.S.  
House; ALEXANDRIA OCASIO-  
CORTEZ, U.S. House; FRANK  
PALLONE, JR, U.S. House; BILL  
PARCELL, U.S. House; DONALD  
PAYNE, JR., U.S. House; MIKIE  
SHERRILL, U.S. House; ALBIO  
SIRE, U.S. House; MELANIE ANN  
STANSBURY, U.S. House; GREG  
STANTON, U.S. House; BRUCE  
WESTERMAN, U.S. House; STEVE  
WOMACK, U.S. House; ANDY  
BIGGS, U.S. House; RUBEN  
GALLEGO, U.S. House; PAUL  
GOSAR, U.S. House; RAUL  
GRIJALVA, U.S. House; ANN  
KIRKPATRICK, U.S. House; DAVID  
SCHWEIKERT, U.S. House;  
AUMUA AMATA RADEWAGEN,  
U.S. House; TERRI SEWELL; TOM  
O'HALLERAN; GARY PALMER;  
ROBERT ADERHOLT; MO  
BROOKS; BARRY MOORE; MIKE  
ROGERS,

CHRISTOPHER A. WRAY;  
MERRICK GARLAND; NANCY  
PELOSI; and CHUCK SHUMER,

GLORY HALL,

Case No. 4:22-cv-00009-RRB

Case No. 4:22-cv-00012-RRB

MICHAEL DUNLEAVY, Governor;  
BETH WELDON, Mayor; JUNEAU  
POLICE DEPARTMENT; and  
EMILY WRIGHT, Magistrate,

Defendants.

Case No. 4:22-cv-00013-RRB

### **ORDER OF DISMISSAL**

On April 13, 2022, William Clarke, a self-represented litigant, filed 10 Complaints for a Civil Case, along with Applications to Proceed in District Court without Prepaying Fees or Costs, and 26 pages of exhibits.<sup>1</sup> Subsequently, Mr. Clarke filed myriad civil actions with the U.S. District Court for the District of Alaska at the Juneau, Anchorage, and Fairbanks Courthouses within the last 105 days. Upon review, through Mr. Clarke's own admissions,<sup>2</sup> and in the interest of

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<sup>1</sup> *Clarke v. Maddow*, Case No. 1:22-cv-00007-RRB, Dockets 1–3; *Clarke v. Brezinski*, Case No. 1:22-cv-00008-RRB, Dockets 1–3; *Clarke v. Earhardt*, Case No. 1:22-cv-00009-RRB, Dockets 1–3; *Clarke v. Smith*, Case No. 1:22-cv-00010-RRB, Dockets 1–3; *Clarke v. MacCallum*; Case No. 1:22-cv-00011-RRB, Dockets 1–3; *Clarke v. Bream*; Case No. 1:22-cv-00012-RRB, Dockets 1–3; *Clarke v. Banderas*, Case No. 1:22-cv-00013-RRB, Dockets 1–3; *Clarke v. Faulkner*, Case No. 1:22-cv-00014-RRB, Dockets 1–3; *Clarke v. Pavlich*; Case No. 1:22-cv-00015-RRB, Dockets 1–3; *Clarke v. Tansey, et al.*, Case No. 1:22-cv-00016-RRB, Dockets 1–3.

<sup>2</sup> *Clarke v. Romney, et al.*, Case No. 1:22-cv-00042-RRB, Docket 1 at 6 (“I am filing a lot of civil lawsuits[.]”); *Clarke v. FBI, et al.*, Case No. 1:22-cv-00049-RRB, Docket 1 at 4 (requests the Court to “refer to all civil dockets” for statement of claim and requested relief); for a non-exhausted list of additional examples see also *Clarke v. Alaska Dept. of Labor, et al.*, Case No. 1:22-cv-00050-RRB, Docket 1 at 4; *Clarke v. Kavanaugh*, Case No. Case No. 1:22-cv-00051-RRB, Docket 1 at 4; *Clarke v. Barnhart*, Case No. 1:22-cv-00053-RRB, Dockets 1 at 3 (requests Court to “refer to civil dockets filed by plaintiff! 1:22-cv-0036-RRB, 1:22-cv-00033-RRB, 1:22-cv-00032-RRB, 1:22-cv-00034-RRB”) & 1-1 (handwritten statement to Defendant Barnhart asking to “please refer to all dockets civil being filed with me as the Plaintiff!” with a list of his civil filings to date); *Clarke v. Velshi*,

judicial economy, the Court finds these cases to be interrelated and appropriate to address within the same order. The Court now screens all the complaints in accordance with 28 U.S.C. § 1915(e)(2)(B).

### **SCREENING REQUIREMENT**

Federal law requires a court to conduct an initial screening of a civil complaint filed by a self-represented litigant seeking to proceed in a lawsuit in federal court without paying the filing fee.<sup>3</sup> In this screening, a court shall dismiss the case at any time if the court determines that the action:

- (i) is frivolous or malicious;
- (ii) fails to state a claim on which relief may be granted; or
- (iii) seeks monetary relief against a defendant who is immune from such relief.<sup>4</sup>

To determine whether a complaint states a valid claim for relief, courts consider whether the complaint contains sufficient factual matter that, if accepted as true, “state[s] a claim to relief that is plausible on its face.”<sup>5</sup> In conducting its review, a

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Case No. 3:22-cv-00100-RRB, Docket 1 at 4 (“Refer to Wolf Blizters! Or other lawsuits”; “Refer to Willie Hayes! Or other lawsuits”; “Refer to other lawsuits! Like Joy Reids!”).

<sup>3</sup> See, e.g., *Lopez v. Smith*, 203 F.3d 1122, 1126 n.7 (9th Cir. 2000).

<sup>4</sup> 28 U.S.C. § 1915(e)(2)(B).

<sup>5</sup> *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (citing *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007)). In making this determination, a court may consider “materials that are submitted with and attached to the Complaint.” *United States v. Corinthian Colleges*, 655 F.3d 984, 999 (9th Cir. 2011) (citing *Lee v. L.A.*, 250 F.3d 668, 688 (9th Cir. 2001)).

court must liberally construe a self-represented plaintiff's pleading and give the plaintiff the benefit of the doubt.<sup>6</sup> Before a court may dismiss any portion of a complaint for failure to state a claim upon which relief may be granted, the court must provide the plaintiff with a statement of the deficiencies in the complaint and an opportunity to amend or otherwise address the problems, unless to do so would be futile.<sup>7</sup> Futility exists when "the allegation of other facts consistent with the challenged pleading could not possibly cure the deficiency[.]"<sup>8</sup>

## DISCUSSION

In the course of approximately three months, Mr. Clarke has filed 93 civil actions with this Court. As evidenced in his numerous pleadings, Mr. Clarke believes, and intends to bring to light by these suits, that an extensive conspiracy exists involving medical device implantation, cyber hacking, theft and distribution of his intellectual property, and his forced participation in illicit and illegal pornography. Whether taken individually or as a collective, Mr. Clarke's complaints fail to state a claim upon which relief may be granted and are frivolous. Accordingly, these civil actions must be dismissed.

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<sup>6</sup> See *Hebbe v. Pliler*, 627 F.3d 338, 342 (9th Cir. 2010) (citing *Bretz v. Kelman*, 773 F.2d 1026, 1027 n.1 (9th Cir. 1985) (en banc)).

<sup>7</sup> See *Gordon v. City of Oakland*, 627 F.3d 1092, 1094 (9th Cir. 2010) (citing *Albrecht v. Lund*, 845 F.2d 193, 195 (9th Cir. 1988)).

<sup>8</sup> See *Schreiber Distributing Co. v. Serv-Well Furniture Co.*, 806 F.2d 1393, 1401 (9th Cir. 1986).

## **I. Complaints and Allegations**

Beginning on April 13, 2022, Mr. Clarke began filing civil suits against media personalities, federal prosecutors, chief executive officers of major technology companies, and news channels.<sup>9</sup> These complaints invoked jurisdiction under the First through Twelfth Amendments of the U.S. Constitution and selections of the United States Code that correspond with chapters on peonage, slavery, human trafficking, and obstruction of justice.<sup>10</sup> While each complaint has variations on the claim stated, Mr. Clarke provided the same set of exhibits, which include: (1) emails often sent to himself, with additional possible recipients such as the Civil Rights Division of the U.S. Department of Justice, the U.S. Commission on Human Rights, various attorneys, and the National Labor Relations Board; (2) emails sent to himself requesting a court injunction or attempting to lodge a criminal complaint; and (3) x-ray images of his chest, spine, and skull with handwritten notes.<sup>11</sup>

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<sup>9</sup> *Supra* note 1.

<sup>10</sup> *Clarke v. Maddow*, Case No. 1:22-cv-00007-RRB, Dockets 1 at 3; *see also* Docket 1 of the following cases for reference and comparison: *Clarke v. Brezinski*, Case No. 1:22-cv-00008-RRB; *Clarke v. Earhardt*, Case No. 1:22-cv-00009-RRB; *Clarke v. Smith*, Case No. 1:22-cv-00010-RRB; *Clarke v. MacCallum*; Case No. 1:22-cv-00011-RRB; *Clarke v. Bream*; Case No. 1:22-cv-00012-RRB; *Clarke v. Banderas*, Case No. 1:22-cv-00013-RRB; *Clarke v. Faulkner*, Case No. 1:22-cv-00014-RRB; *Clarke v. Pavlich*, Case No. 1:22-cv-00015-RRB; *Clarke v. Tansey*, et al., Case No. 1:22-cv-00016-RRB.

<sup>11</sup> *Clarke v. Maddow*, Case No. 1:22-cv-00007-RRB, Dockets 3; *see also* Docket 3 of the following cases for reference and comparison: *Clarke v. Brezinski*, Case No. 1:22-cv-00008-RRB; *Clarke v. Earhardt*, Case No. 1:22-cv-00009-RRB; *Clarke v. Smith*, Case No. 1:22-cv-00010-RRB; *Clarke v. MacCallum*; Case No. 1:22-cv-00011-RRB; *Clarke v. Bream*; Case No. 1:22-cv-00012-RRB; *Clarke v. Banderas*, Case No. 1:22-cv-00013-

Through his pleadings and the exhibits provided, the gravamen of Mr. Clarke's allegations are as follows:

- There is a vast criminal conspiracy of organized crime in Juneau, Alaska, the United States, and internationally.
- Mr. Clarke has a surgically implanted body camera connected to his pacemaker with frequency number #10367. The frequency broadcasts information that can be tracked and referenced.
- Defendants and entities hacked into his medical devices and have stolen his intellectual property through cyber robbery.
- He has been forced into participating and manufacturing illicit and illegal pornography, which has been distributed through websites, apps, and the internet to millions of people.
- The conspiracy involves major media outlets; technology companies; local, state, and national politicians and government officials; television and movie stars; hospitals, doctors, and medical professionals; criminal gangs; militias; and local, state, and national law enforcement agencies.<sup>12</sup>

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RRB; *Clarke v. Faulkner*, Case No. 1:22-cv-00014-RRB; *Clarke v. Pavlich*, Case No. 1:22-cv-00015-RRB; *Clarke v. Tansey, et al.*, Case No. 1:22-cv-00016-RRB.

<sup>12</sup> *Supra* note 1.

For relief, Mr. Clarke requests millions, or sometimes hundreds of millions of dollars, in damages and for the Court to “review + investigate Apple + All Corporations including X rated out of California!”<sup>13</sup>

Initially, Mr. Clarke focused his litigation efforts on media personalities, media outlets or companies, and technology firms.<sup>14</sup> However in relatively short order, Mr. Clarke began directing suits at local medical providers, social service staff, and members of the Juneau Police Department.<sup>15</sup> Throughout the months, Mr. Clarke’s many filings have expanded into multi-defendant litigation naming the membership of the U.S. Senate and House of Representatives,<sup>16</sup> federal agencies, local business and social services, politicians and their children, and local,

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<sup>13</sup> *Clarke v. Tansey, et al.*, Case No. 1:22-cv-00016-RRB, Docket 1 at 6; *compare with Clarke v. Smith*, Case No. 1:22-cv-00010-RRB, Docket 1 at 4.

<sup>14</sup> *See as selected examples Clarke v. Blitzer*, Case No. 1:22-cv-00017-RRB, Docket 1; *Clarke v. Cabrera*, Case No. 1:22-cv-00018-RRB, Docket 1; *Clarke v. MSNBC*, Case No. 1:22-cv-00024-RRB, Docket 1; *Clarke v. Apple Inc.*, Case No. 1:22-cv-00027-RRB, Docket 1; *Clarke v. Lee*, Case No. 1:22-cv-00031-RRB, Docket 1; *Clarke v. Williams*, Case No. 3:22-cv-00091-RRB, Docket 1; *Clarke v. Reid*, Case No. 3:22-cv-00092-RRB, Docket 1; *Clarke v. Mitchell*, Case No. 1:22-cv-00093-RRB, Docket 1; *Clarke v. Matthews*, Case No. 3:22-cv-00095-RRB, Docket 1; *Clarke v. Witt*, Case No. 3:22-cv-00097-RRB, Docket 1; *Clarke v. Wallace*, 3:22-cv-00098-RRB, Docket 1; *Clarke v. Welker*, Case No. 3:22-cv-00099-RRB, Docket 1; *Clarke v. Sciutto*, Case No. 3:22-cv-00106-RRB, Docket 1.

<sup>15</sup> *Clarke v. Lovishchuck, et al.*, Case No. 1:22-cv-00031-RRB, Docket 1; *Clarke v. Leither*, Case No. 1:22-cv-00033-RRB; *Clarke v. Fylpaa*, Case No. 1:22-cv-00034-RRB, Docket 1; *Clarke v. Bursell*, Case No. 1:22-cv-00035-RRB, Docket 1; *Clarke v. Gifford*, Case No. 1:22-cv-00037-RRB, Docket 1; *Clarke v. Papier*, Case No. 1:22-cv-00045-RRB, Docket 1.

<sup>16</sup> *Clarke v. Romney, et al.*, Case No. 1:22-cv-00042-RRB, Docket 1; *Clarke v. Waters, et al.*, Case No. 3:22-cv-00115-RRB, Docket 1.



national, and international public figures.<sup>17</sup> Mr. Clarke sues many Defendants repeatedly, such as Fox News,<sup>18</sup> CNN,<sup>19</sup> CNBC,<sup>20</sup> Rachel Maddow,<sup>21</sup> Alaska Governor Mike Dunleavy,<sup>22</sup> the Federal Bureau of Investigation,<sup>23</sup> and Juneau, Alaska's homeless shelter, Glory Hall.<sup>24</sup>

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<sup>17</sup> *Clarke v. Federal Bureau of Investigation, et al.*, Case No. 1:22-cv-00049-RRB, Docket 1; see also *Clarke v. Whitmer, et al.*, Case No. 1:22-cv-00028-RRB, Docket 1; *Clarke v. Hochul, et al.*, Case No. 1:22-cv-00029-RRB, Docket 1; *Clarke v. Gladyszewski, et al.*, Case No. 1:22-cv-00038-RRB, Docket 1; *Clarke v. Meyer, et al.*, Case No. 1:22-cv-00041-RRB, Docket 1; *Clarke v. Newsom, et al.*, Case No. 1:22-cv-00052-RRB, Docket 1; *Clarke v. Weldon, et al.*, Case No. 1:22-cv-00057-RRB; *Clarke v. Sciutto*, Case No. 3:22-cv-00106-RRB, Docket 1; *Clarke v. Schmidt, et al.*, Case No. 3:22-cv-00111-RRB, Docket 1; *Clarke v. Waters, et al.*, Case No. 3:22-cv-00115-RRB, Docket 1; *Clarke v. Wray, et al.*, Case No. 4:22-cv-00009-RRB, Docket 1; *Clarke v. Dunleavy, et al.*, Case No. 4:22-cv-00013-RRB, Docket 1.

<sup>18</sup> Compare *Clarke v. Fox News*, Case No. 1:22-cv-00025-RRB with *Clarke v. Fox News, et al.*, Case No. 3:22-cv-00105-RRB.

<sup>19</sup> Compare *Clarke v. CNN International*, Case No. 1:22-cv-00021-RRB with *Clarke v. CNN*, Case No. 1:22-cv-00026-RRB and *Clarke v. Fox News, et al.*, Case No. 3:22-cv-00105-RRB (naming CNN International as the third defendant).

<sup>20</sup> Compare *Clarke v. Tansey*, Case No. 1:22-cv-00016-RRB (naming CNBC as the fourth defendant) with *Clarke v. CNBC*, Case No. 1:22-cv-00023-RRB.

<sup>21</sup> Compare *Clarke v. Maddow*, Case No. 1:22-cv-00007-RRB with *Clarke v. Maddow*, Case No. 1:22-cv-00019-RRB.

<sup>22</sup> Compare *Clarke v. Dunleavy, et al.*, Case No. 1:22-cv-00036-RRB with *Clarke v. Dunleavy, et al.*, Case No. 4:22-cv-00013-RRB.

<sup>23</sup> Compare *Clarke v. Federal Bureau of Investigations, et al.*, Case No. 1:22-cv-00049-RRB with *Clarke v. Federal Bureau of Investigations*, Case No. 1:22-cv-00061-RRB and *Clarke v. Federal Bureau of Investigations, et al.*, Case No. 1:22-cv-00065-RRB.

<sup>24</sup> Compare *Clarke v. Hall*, Case No. 1:22-cv-00039-RRB with *Clarke v. Hall*, Case No. 1:22-cv-00044-RRB; *Clarke v. Hall*, Case No. 1:22-cv-00046-RRB; *Clarke v. Hall*, Case No. 1:22-cv-00048-RRB, *Clarke v. Glory Hall*, Case No. 4:22-cv-00012-RRB.

Mr. Clarke commenced his actions using a variety of form complaints generated by the Administrative Office of the U.S. Courts for general civil matters,<sup>25</sup> diversity actions alleging negligence,<sup>26</sup> civil rights,<sup>27</sup> and complaints with a request for an injunction.<sup>28</sup> However, the form upon which the complaint is written does not alter Mr. Clarke's allegations or legal strategy. As mentioned above, Mr. Clarke consistently invokes jurisdiction pursuant to, or otherwise references Chapters 73 and 77 of the United States Code, the specific statutes of 18 U.S.C. §§ 1035 & 1961, and the First through Twelfth Amendments of the United States Constitution.<sup>29</sup> In Mr. Clarke's most recent filings, he has included references to Executive Orders by President Biden on police corruption and

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<sup>25</sup> See as selected example *Clarke v. Harlow*, 3:22-cv-00107-RRB, Docket 1.

<sup>26</sup> See as selected example *Clarke v. Brzezinski*, Case No. 1:22-cv-00008-RRB, Docket 1.

<sup>27</sup> See as selected example *Clarke v. Schmidt, et al.*, 3:22-cv-00111-RRB, Docket 1.

<sup>28</sup> See as selected example *Clarke v. Wray, et al.*, 4:22-cv-00009-RRB, Docket 1.

<sup>29</sup> See as selected examples *Clarke v. Banderas*, Case No. 1:22-cv-00013-RRB, Docket 1 at 3; *Clarke v. NPR*, Case No. 1:22-cv-00020-RRB, Docket 1 at 4; *Clarke v. Gladyszewski, et al.*, Case No. 1:22-cv-00038-RRB, Docket 1 at 3; *Clarke v. Burnett*, Case No. 1:22-cv-00043-RRB, Docket 1 at 3; *Clarke v. Witt*, Case No. 3:22-cv-00097-RRB, Docket 1 at 4; *Clarke v. Glory Hall*, Case No. 4:22-cv-00012-RRB, Docket 1 at 3. In some filings, Mr. Clarke exempts the Second Amendment, specifically from his assertion of jurisdiction. See as selected examples *Clarke v. Hall*, Case No. 1:22-cv-00046-RRB, Docket 1 at 4, *Clarke v. Dolan*, Case No. 1:22-cv-00069-RRB, Docket 1 at 3, *Clarke v. Glory Hall*, Case No. 4:22-cv-00012-RRB, Docket 4 at 4.

Former President Trump on “cyber.”<sup>30</sup> Mr. Clarke’s assertions of jurisdiction are most consistent when evaluated in sets or groups by filing date.<sup>31</sup>

Mr. Clarke’s pleadings, while not written exactly the same, repeat the same core theory as described above—an implanted body camera connected with his pacemaker is being hacked; his intellectual property is being stolen and distributed; he is forced to participate in illegal pornography and human trafficking; the pornography is being disseminated around the world by all Defendants, with more to be named, who are part of an organized crime ring exploiting millions of victims.<sup>32</sup> In later pleadings, Mr. Clarke also includes allegations that various Defendants are inflicting bodily harm to murder or disable him.<sup>33</sup>

Mr. Clarke occasionally raises unique allegations against a specific defendant, for example that 1000 attorneys have received settlements as part of

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<sup>30</sup> *Clarke v. Chan*, Case No. 1:22-cv-00068-RRB, Docket 1 at 3; *Clarke v. Cox, et al.*, Case No. 1:22-cv-00076-RRB, Docket 1 at 3.

<sup>31</sup> *Compare supra* note 10 (complaints filed on April 13, 2022) *with Clarke v. Federal Bureau of Investigations*, Case No. 1:22-cv-00061-RRB, Docket 1 at 3 and *Clarke v. Garland*, Case No. 1:22-cv-00062-RRB, Docket 1 at 3 (filed on July 5, 2022, asserting jurisdiction through habeas corpus and alleged presidential executive orders).

<sup>32</sup> *See as selected examples Clarke v. Twitter*, Case No. 1:22-cv-00022-RRB, Docket 1; *Clarke v. Hochul, et al.*, Case No. 1:22-cv-00029-RRB, Docket 1; *Clarke v. Perino*, 3:22-cv-00108-RRB, Docket 1; *Clarke v. Dunleavy, et al.*, Case No. 4:22-cv-00013-RRB, Docket 1.

<sup>33</sup> *See as selected examples Clarke v. Rather*, Case No. 1:22-cv-00032-RRB, Docket 1; *Clarke v. Hall*, Case No. 1:22-cv-00039-RRB, Docket 1; *Clarke v. Hayes*, Case No. 3:22-cv-00094-RRB, Docket 1.

the conspiracy,<sup>34</sup> or that members of the U.S. Supreme Court have conspired with Apple, Inc., and the U.S. Congress to put him in child pornography with Justice/Defendant Kavanaugh's children.<sup>35</sup> However, any unique allegation is a conspiracy related detail applied to a defendant or set of defendants. Uniformly across all of Mr. Clarke's cases—with only the exception of *Clarke v. Barnhardt*, Case No. 1:22-cv-00053-RRB, explained in further detail below—he requests damages either in the “millions” or “hundreds of millions” for relief.<sup>36</sup> Additionally in some selected pleadings, Mr. Clarke requests the Court to investigate, prosecute, or otherwise prove his claims.<sup>37</sup>

Like in his first 10 cases, Mr. Clarke often submits x-rays with handwritten explanations regarding his pacemaker and the alleged bodycam system and emails sent to himself and various other parties: seeking representation by a civil

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<sup>34</sup> *Clarke v. Alaska Dept. of Labor, et al.*, Case No. 1:22-cv-00050-RRB, Docket 1 at 4.

<sup>35</sup> *Clarke v. Kavanaugh, et al.*, Case No. 1:22-cv-00051-RRB, Docket 1 at 4.

<sup>36</sup> See as examples *Clarke v. Glory Hall*, Case No. 1:22-cv-00048-RRB, Docket 1 at 4 and *Clarke v. Alaska Dept. of Labor, et al.*, Case No. 1:22-cv-00050-RRB, Docket 1 at 4; compare with *Clarke v. Desantis, et al.*, Case No. 3:22-cv-00110-RRB.

<sup>37</sup> See as examples *Clarke v. Gladyszewski, et al.*, Case No. 1:22-cv-00038-RRB, Docket 1 at 5 (requesting hundreds of millions in damages and “all participant and defendants be charged with every federal crime that applies!”); *Clarke v. Romney, et al.*, Case No. 1:22-cv-00042-RRB, Docket 1 at 6 (“I am filing a lot of civil lawsuits, I asking for Court to prove and – all people appear to be put on the stand and prosecuted to the fullest extent of the law!”); *Clarke v. Waters, et al.*, Case No. 3:22-cv-00115-RRB, Docket 1 at 6 (“I want all participants in Juneau, Anchorage, Wasilla, New York, California, Washington DC and internationally! Easy to prove pull up my frequency of a surgically implanted body cam, plus pacemaker!”).

rights attorney; wanting to file criminal complaints; naming individuals who he believes also are victims of illegal pornography production and listing states and state officials to be sued; asking for assistance in filing complaints or following up on voicemails, and requesting court injunctions.<sup>38</sup> In a specific action against Gov. Michael Dunleavy, Juneau Mayor Beth Weldon, the Juneau Police Department, and state court Magistrate Judge Emily Wright, Mr. Clarke submitted a judicial misconduct complaint, an email regarding Magistrate Judge Wright's refusal to hold an evidentiary hearing, a copy of Alaska Stat. § 11.41.270 (Stalking in the Second Degree), and a Petition for a Stalking Protective Order against Beth Weldon.<sup>39</sup> More recently, Mr. Clarke has not included exhibits with his complaints.<sup>40</sup>

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<sup>38</sup> See as examples *Clarke v. Geist*, Case No. 3:22-cv-00096-RRB, Docket 1-1 and *Clarke v. Gutfeld*, Case No. 3:22-cv-00109-RRB, Docket 1-1; compare with *Clarke v. Lovishchuck, et al.*, Case No. 1:22-cv-00047-RRB, Docket 2 at 6–7.

<sup>39</sup> *Clarke v. Dunleavy, et al.*, Case No. 4:22-cv-00013-RRB, Docket 1 at 6–16 (despite different exhibits, Clarke's allegations remain consistent with the theories presented in his other pleadings—that “All Defendants co conspired to make sure [their] organized crime ring would stay in business . . . . Forced in porn and trafficked in film with Emily Wright!”).

<sup>40</sup> See as selected examples *Clarke v. Quinto*, Case No. 1:22-cv-00040-RRB (filed April 26, 2022); *Clarke v. Waters, et al.*, Case No. 3:22-cv-00115-RRB (filed May 2, 2022); *Clarke v. Federal Bureau of Investigations*, Case No. 1:22-cv-00061-RRB, *Clarke v. Garland*, Case No. 1:22-cv-00062-RRB, Case No. 1:22-cv-00063-RRB, *Clarke v. Burns, et al.*, Case No. 1:22-cv-00063-RRB (filed July 5, 2022); *Clarke v. Munoz*, Case No. 1:22-cv-00064-RRB, *Clarke v. Federal Bureau of Investigations*, Case No. 1:22-cv-00065-RRB (filed July 8, 2022); *Clarke v. O’Neal*, Case No. 1:22-cv-00066-RRB, *Clarke v. Hill View Apartments, et al.*, Case No. 1:22-cv-00067-RRB, *Clarke v. Chan*, Case No. 1:22-cv-00068-RRB (filed July 13, 2022); *Clarke v. Dolan*, Case No. 1:22-cv-00069-RRB, *Clarke v. Verman*, Case No. 1:22-cv-00070-RRB, *Clarke v. Kohlhase, et al.*, Case No. 1:22-cv-00071-RRB, *Clarke v. Choate, et al.*, Case No. 1:22-cv-000723-RRB, *Clarke v. Kahkalen*, Case No. 1:22-cv-00073-RRB, *Clarke v. Roberts, et al.*, Case No. 1:22-cv-00074-RRB,

Two of Mr. Clarke's filings deviate slightly from his standard pleading pattern. First, in *Clarke v. Barnhardt*, Case No. 1:22-cv-00053-RRB, Mr. Clarke submitted a Complaint for Review of a Social Security Disability or Supplemental Security Income Decision.<sup>41</sup> He indicates he seeks judicial review of a Disability Insurance Benefits Claim and a Supplemental Security Insurance Claim and that "I received notice, trashed because I was mad, contacted filed for [new] sent in 3-6-22 – called that had not sent anything about hearing 2 weeks later!"<sup>42</sup> When asked to explain why the Commissioner's factual findings are not supported by substantial evidence in the record, Mr. Clarke states "Due to Organized Crime!" and references Title 18, Chapters 77 and 73 of the United States Code, along with specific sections "2319, 1510, 1512, 1513, 1518, 1519, 19.61, 1035, 1030, 1831-1839-1836-1139."<sup>43</sup> Additionally, when asked to identity legal errors made by the Commissioner, Mr. Clarke states "Organized Crime, including [their] own employees involved in the crime, refer to all civil dockets filed by [Plaintiff]! 1:22-

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*Clarke v. Williams*, Case No. 1:22-cv-00075-RRB, *Clarke v. Cox, et al.*, Case No. 1:22-cv-00076-RRB (filed July 18, 2022); *Clarke v. White*, Case No. 1:22-cv-00077-RRB, *Clarke v. Levine*, Case No. 1:22-cv-00078-RRB (filed July 21, 2022); *Clarke v. O'Reilly*, 1:22-cv-00079-RRB, *Clarke v. O'Donnell*, Case No. 1:22-cv-0080-RRB, *Clarke v. Wagner*, Case No. 1:22-cv-00081-RRB, *Clarke v. Goodman, et al.*, Case No. 1:22-cv-00082-RRB (filed July 25, 2022).

<sup>41</sup> Docket 1.

<sup>42</sup> Docket 1 at 2–3.

<sup>43</sup> Docket 1 at 3.

cv-0036-RRB 1:22-cv-00032-RRB 1:22-cv-00033-RRB 1:22-cv-0034-RRB.”<sup>44</sup> He requests all possible and available relief for a Social Security appeals decision. In support of his claims, he includes a handwritten letter to Commissioner Barnhardt that states:

To, Jo Anne B. Barnhardt, If you[re] still the commissioner, went off the internet, a large group of organized criminals that include your staff in Juneau Alaska! Please refer to all dockets civil being filed with me at the Plaintiff! Be advised I am asking for all parties involved to be prosecuted! Easy to prove, surgically implanted system frequency off of the equipment is 10367! Your local cyber crimes, radio station or cyber security firm! Pleas [sic] investigate due to the fact of cover ups of fraud at all levels! More civil dockets are being filed including against your Juneau branch!<sup>45</sup>

Additionally, he includes a handwritten list of his cases filed to date in the U.S. District Court for the District of Alaska.<sup>46</sup> Mr. Clarke does not provide any administrative Social Security decision over which this Court would have jurisdiction.

Second in *Clarke v. U.S. District Court*, Case No. 1:22-cv-00060-RRB, Mr. Clarke invokes jurisdiction under the “First through Twelfth Amendments of the United States Constitution! Joe Biden[’s] Executive Order[,] Emergency Evidence Collection including Physical for Torture, Pacemaker, 70 Attempts for Restraining

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<sup>44</sup> Docket 1 at 3.

<sup>45</sup> Docket 1-1 at 1.

<sup>46</sup> Docket 1-1 at 2–4.



Orders! [and] Saudme,” the last of which the Court construes that Mr. Clarke intends to allege “sodomy.” He pleads as his Statement of Claim: “After filing 70 civil lawsuits, including injunction and 70 motions for evidence collection both cyber and physical! 70 motions for restraining orders[.] 70 motions abou[t] Joe Biden[‘s] Executive Order of police corruption[.] All simple to prove body cam frequency #10367 (Dates 4/12/22 through 6/19/22 contin[uous]!).”<sup>47</sup> For relief, Mr. Clarke requests hundreds of millions in damages and “Arrest all Participants!”<sup>48</sup> In support of these allegations, Mr. Clarke provides copies of Notices of Electronic Filings, a receipt for copies, and Complaint Referral Form he submitted to the Internet Crime Complaint Center of the Federal Bureau of Investigation.<sup>49</sup> In the Complaint Referral Form, Mr. Clarke alleges he has been victimized by the State Library in Juneau, Alaska, and that:

On 6/14/22 at 292 Whittier Street Juneau Alaska at 1:40 pm Alaska time illegal porn, child porn, felony assaults, medical equipment hacking by organized crime, also attempted murder! Group of criminal law enforcement and politicians and all co conspirators in Juneau Alaska trafficking victims of Uvalde Texas including Juneau police having them on Apple and paying parents and having the children say suck cock and Juneau police trafficking child porn and conditioning

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<sup>47</sup> Docket 1 at 4.

<sup>48</sup> *Clarke v. U.S. District Court*, Case No. 1:22-cv-00060-RRB, Docket 1 at 4.

<sup>49</sup> *Clarke v. U.S. District Court*, Case No. 1:22-cv-00060-RRB, Dockets 1-1 & 1-2.



for prostitution for [servitude] to judges and elite! Refer  
to all civil dockets US District Court Clarke versus!<sup>50</sup>

The Court recognizes that Mr. Clarke intends for these actions to be related and views them as an intentional, holistic view of his litigation strategy. Beginning with *Clarke v. Federal Bureau of Investigations, et al.*, Case No. 1:22-cv-00049, Mr. Clarke included in his pleadings a request to “refer to all civil dockets filed by Plaintiff!” in regard to his statement of claim and requested relief.<sup>51</sup> Subsequently, Mr. Clarke consistently and repeatedly asks the Court and Defendants to refer to

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<sup>50</sup> *Clarke v. U.S. District Court*, Case No. 1:22-cv-00060-RRB, Docket 1-2 (written in all caps in the exhibit, changed to sentence standard capitalization for clarity, no punctuation added).

<sup>51</sup> Docket 1 at 4.

his other dockets either as a whole,<sup>52</sup> or by individual case names.<sup>53</sup> Accordingly, the Court shall apply the applicable screening analysis across of Mr. Clarke's cases.

## **II. Failure to State a Claim**

Rule 8 of the Federal Rules of Civil Procedure instructs that a complaint must contain a "short and plain statement of the claim showing that the [complainant] is entitled to relief[.]" A complaint should set out each claim for relief separately. Each claim should identify (1) the specific harm that Plaintiff is alleging

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<sup>52</sup> See as selected examples *Clarke v. Alaska Dept. of Labor, et al.*, Case No. 1:22-cv-00050-RRB, Docket 1 at 4; *Clarke v. Kavanaugh, et al.*, Case No. 1:22-cv-00051-RRB, Docket 1 at 4; *Clarke v. Barnhardt*, Case No. 1:22-cv-00053-RRB, Case No. 1:22-cv-00053-RRB, Docket 1-1 at 1; *Clarke v. Gerradi, et al.*, Case No. 1:22-cv-00056-RRB, Docket 1 at 4 ("Please refer to attached civil dockets[.] Be advised there were other[s] filed that I have not received case numbers for[.]"), Docket 1-1 (handwritten list of cases filed); *Clarke v. Glory Hall*, Case No. 4:22-cv-00012-RRB, Docket 4 at 3 & Docket 6 at 1; *Clarke v. O'Neal*, Case No. 1:22-cv-00066-RRB, Docket 1 at 4; *Clarke v. Hill View Apartments, et al.*, Case No. 1:22-cv-00067-RRB, Docket 1 at 4; *Clarke v. Chan*, Case No. 1:22-cv-00068-RRB, Docket 1 at 4; *Clarke v. Dolan*, Case No. 1:22-cv-00069-RRB, Docket 1 at 3-4; *Clarke v. Verman*, Case No. 1:22-cv-00070-RRB, Docket 1 at 3-4; *Clarke v. Kohlhase, et al.*, Case No. 1:22-cv-00071-RRB, Docket 1 at 4; *Clarke v. Choate, et al.*, Case No. 1:22-cv-000723-RRB, Docket 1 at 4; *Clarke v. Kahkalen*, Case No. 1:22-cv-00073-RRB, Docket 1 at 4; *Clarke v. Roberts, et al.*, Case No. 1:22-cv-00074-RRB, Docket 1 at 4; *Clarke v. Williams*, Case No. 1:22-cv-00075-RRB, Docket 1 at 4; *Clarke v. Cox, et al.*, Case No. 1:22-cv-00076-RRB, Docket 1 at 4; *Clarke v. White*, Case No. 1:22-cv-00077-RRB, Docket 1 at 3-4; *Clarke v. Levine*, Case No. 1:22-cv-00078-RRB, Docket 1 at 3-4; *Clarke v. O'Reilly*, 1:22-cv-00079-RRB, Docket 1 at 4; *Clarke v. O'Donnell*, Case No. 1:22-cv-0080-RRB, Docket 1 at 4; *Clarke v. Wagner*, Case No. 1:22-cv-00081-RRB, Docket 1 at 3-4; *Clarke v. Goodman, et al.*, Case No. 1:22-cv-00082-RRB, Docket 1 at 3-4.

<sup>53</sup> *Clarke v. Velshi*, Case No. 3:22-cv-00100-RRB, Docket 1 at 4 ("Refer to Wolf Blitzers! Or other lawsuits"); *Clarke v. Glory Hall*, Case No. 4:22-cv-00012-RRB, Docket 1 at 4 & Docket 6 at 4.

has occurred to him, (2) when that harm occurred, (3) where that harm was caused, and (4) who he is alleging caused that specific harm to him.

Factual allegations may not be speculative but must plead “factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.”<sup>54</sup> While a complaint need not contain every precise, factual detail, “unadorned, the defendant-unlawfully-harmed-me accusation[s]” are insufficient to state a claim.<sup>55</sup> A complaint is insufficiently plead if it offers “naked assertions devoid of further factual enhancement.”<sup>56</sup> A complaint that offers legal conclusions or a simple recitation of the elements of a cause of action does not meet the required pleading standard.

Mr. Clarke’s myriad complaints allege a broad global, technology and internet-based conspiracy with millions of victims and participants. All of the complaints lack sufficient plausible facts to state a claim. While Mr. Clarke clearly articulates what he believes is occurring to him and millions of others, most often the complaints lack a specificity of how any singular defendant took an action that resulted in harm to Mr. Clarke. In instances where Mr. Clarke names a date and time, or range of dates, the additional supporting details provided are mere naked

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<sup>54</sup> *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009).

<sup>55</sup> *Id.*

<sup>56</sup> *Id.* (internal citations and quotations omitted).

assertions.<sup>57</sup> Lastly, even where Mr. Clarke alleges a specific action taken by a defendant, the specific allegations remain embedded within a broadly unadorned set of naked assertions that lacks sufficient plausible details to support his theory.<sup>58</sup>

Furthermore, Mr. Clarke attempts to litigate under provisions of American law that do not provide private causes actions for civil suits. The First through Tenth Amendments of the United States Constitution articulate the individual rights of American citizens in relation to the government and requires a direct adverse action by the government.<sup>59</sup> Comparatively, the Eleventh Amendment prohibits federal courts from hearing certain types of lawsuits against states;<sup>60</sup> and the Twelfth Amendment articulates the process for electing the President and Vice-

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<sup>57</sup> See as selected example *Clarke v. White*, Case No. 1:22-cv-00077-RRB, Docket 1 at 4 (“On 6/15/22 at approx. 12:30 medical equip. Hacking, assaults, forced in sex film and trafficked! Refer to all civil dockets and motions Clarke versus[.]”).

<sup>58</sup> See as selected example *Clarke v. Burnett*, Case No. 1:22-cv-00043-RRB, Docket 1 at 4 (“Since approx. May 2011 and continuous by illegal wiretapping and hacking into surgically implanted body cam to steal intellectual[sic] property plus her being a part of forcing me in child porn, illegal porn with her and her children, also continuous attempted murder of people she paid and CNN to inflict harm and dist. Property even today with Apple 4-27-22[, ] 24 hours a day!”).

<sup>59</sup> *The Bill of Rights: What Does it Say? America’s Founding Documents*, THE NATIONAL ARCHIVES, at <https://www.archives.gov/founding-docs/bill-of-rights/what-does-it-say> (last accessed July 25, 2022); see also U.S. CONST. amends. I & V.

<sup>60</sup> U.S. CONST. amend XI; see also Bradford R. Clark and Vicki C. Jackson, *Common Interpretation: The Eleventh Amendment*, NATIONAL CONSTITUTION CENTER, <https://constitutioncenter.org/interactive-constitution/interpretation/amendment-xi/interps/133> (last accessed July 25, 2022).

President of the United States.<sup>61</sup> Additionally, Title 18 of the United States Code is the primary criminal code of federal government comprised of criminal laws passed by the United States Congress. These laws are enforced by the Executive Branch, though investigative agencies and the U.S. Department of Justice. A private individual may not sue for damages or instigate a criminal prosecution under federal criminal laws.<sup>62</sup> Lastly, an Executive Order from the President of the United States directs a federal agency to take or refrain from a course of action. The laws Mr. Clarke relies upon to make his claims do not provide a private cause of action for this Court to grant him relief in any of his actions.

Mr. Clarke fails to allege sufficient plausible facts that if proven true would state a claim on which relief may be granted. Accordingly, Mr. Clarke's complaints must be dismissed.

### **III. Frivolousness**

In accordance with federal law, a court must dismiss a case "at any time if the court determines that the action or appeal is frivolous or malicious."<sup>63</sup> The term frivolous, or frivolous as a matter of law, is a legal term. It means that a case or

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<sup>61</sup> U.S. CONST. amend. XII (superseding a portion of U.S. CONST. Art. 1 § 1 and later superseded in part by U.S. CONST. amend. XX § 3).

<sup>62</sup> See Title 18, United States Code; *but see* 18 U.S.C. § 1964(c)).

<sup>63</sup> 28 U.S.C. § 1915(e)(2)(B); *see also* 28 U.S.C. § 1915A(b)(1); 42 U.S.C. § 1997e(c)(1).

complaint “lacks an arguable basis in either in law or in fact.”<sup>64</sup> When a court evaluates whether a complaint is frivolous, it must “pierce the veil of the complaint’s factual allegations to determine whether they are fanciful, fantastic, or delusional.”<sup>65</sup> Additionally, a complaint may be frivolous if it merely repeats pending or previously litigated claims.”<sup>66</sup>

Mr. Clarke presents the Court with a theory of far-reaching conspiracy with the possibility of almost limitless numbers of victims and defendants. As explained above and as a threshold matter, Mr. Clarke’s allegations cannot state a viable civil legal claim; therefore, they do not have an arguable basis in law. Additionally, the Court finds that Mr. Clarke’s claims do not have an arguable basis in fact. The 93 complaints and accompanying exhibits before the Court illustrate a vivid, but incredible narrative of international cybercrime that envelops members of Mr. Clarke’s local Juneau community all the way to the farthest heights of government and celebrity. The defendants named through the pleadings, in and of themselves, demonstrate the fantastical nature of these suits. Moreover, the core viable fact—that Mr. Clarke’s frequency #10367 is traceable and trackable—lacks support in the pleadings and general substantiation. The Court takes judicial notice that internet searches for “frequency #10367,” “#10367 Clarke,” “10367 broadcast,”

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<sup>64</sup> *Neitzke v. Williams*, 490 U.S. 319, 325 (1989).

<sup>65</sup> *Neitzke*, 490 U.S. at 327–28; see also *Denton v. Hernandez*, 504 U.S. 25, 33 (1992).

<sup>66</sup> *Cato v. United States*, 70 F.3d 1103, 1105 n.2 (9th Cir. 1995).

and “10367 stream” do not return results related to this litigation or to videos, channels, or any media or content that supports Mr. Clarke’s claims.<sup>67</sup>

The Court finds Mr. Clarke’s 93 actions lack an arguable basis in law or fact and are frivolous suits. Therefore, these actions must be dismissed.

#### **IV. Futility of Amendment**

“It is well-established that a court may dismiss an entire complaint with prejudice where plaintiffs have failed to plead properly after ‘repeated opportunities.’”<sup>68</sup> In this instance, while Mr. Clarke has not had the opportunity to amend his complaints, he has had 93 opportunities to plead his case. Furthermore, “[a] district court may deny leave to amend when amendment would be futile.”<sup>69</sup> Futility exists when “the allegation of other facts consistent with the challenged pleading could not possibly cure the deficiency[.]”<sup>70</sup> Here, no additional facts or defendants would remedy the lack of arguable basis in either fact or law of Mr. Clarke’s claims and suits. Therefore, amendment is futile.

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<sup>67</sup> Judicial notice is the “court’s acceptance, for purposes of convenience and without requiring a party’s proof, of a well-known and indisputable fact; the court’s power to accept such a fact.” BLACK’S LAW DICTIONARY (11th ed. 2019); Fed. R. Evid. 201.

<sup>68</sup> *Destfino v. Reiswig*, 630 F.3d 952, 959 (9th Cir. 2011); *citing Neubronner v. Milken*, 6 F.3d 666, 672 (9th Cir. 1993); *quoting Semegen v. Weidner*, 780 F.2d 727, 730–31 (9th Cir. 1985).

<sup>69</sup> *Hartmann v. California Dep’t of Corr. & Rehab.*, 707 F.3d 1114, 1130 (9th Cir. 2013).

<sup>70</sup> *See Schreiber Distributing Co. v. Serv-Well Furniture Co.*, 806 F.2d 1393, 1401 (9th Cir. 1986).

## **V. Vexatious Litigant Warning**

A federal district court, in extraordinary and unique circumstances, may label a litigant as vexatious. A vexatious litigant is an individual who files frivolous, malicious, harassing, or duplicative lawsuits that expend and waste valuable judicial resources. As the Ninth Circuit Court of Appeals has made clear: “Flagrant abuse of the judicial process cannot be tolerated because it enables one person to preempt the use of judicial time that properly could be used to consider the meritorious claims of other litigants.”<sup>71</sup> Mr. Clarke’s onslaught of meritless civil suits indicates that this Court may need to take further action to curtail any further or future unnecessary taxation on judicial time and resources.

A Court may take two primary courses of action when faced with a problem litigant. First, a federal district court may take action under Rule 11 of the Federal Rules of Civil Procedure. Under Rule 11, when a party, even one who is self-represented, presents a pleading to the court they must certify “that to the best of the person’s knowledge, information, and belief, formed after an inquiry reasonable under the circumstances the claims, defenses, and other legal contentions are warranted by existing law or nonfrivolous argument” and “the factual contentions have evidentiary support.”<sup>72</sup> If the Court suspects a violation of Rule 11, the Court

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<sup>71</sup> *DeLong v. Hennessey*, 912 F.2d 1144, 1148 (9th Cir. 1990).

<sup>72</sup> Fed. R. Civ. P. 11(b)(2–3).



may order a party to show cause as to their conduct. If a violation of Rule 11 is found, the Court may issue monetary penalties or nonmonetary directives as sanctions.<sup>73</sup>

Second, the All Writs Act provides federal courts with the inherent power to enter pre-filing orders against vexatious litigants.<sup>74</sup> A pre-filing order requires a litigant's pleadings to be reviewed by a judicial officer for either acceptance or rejection by the court. A pre-filing order is an extraordinary remedy that should be deployed only after careful consideration and rarely used, because it restricts a litigant's fundamental right to access the courts.<sup>75</sup> Nevertheless, a court may enter a pre-filing order after: (1) giving a litigant notice and an opportunity to respond and oppose; (2) compiling an adequate record for review, including a list of all the pleadings or motions that led to the conclusion the litigant is vexatious; (3) making substantive findings of frivolousness or harassment; and (4) tailoring the order narrowly to the litigant and the specific problems at hand.<sup>76</sup>

The Court cautions Mr. Clarke that continued litigation in this manner may trigger significant penalties that could result in monetary penalties or constitutional

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<sup>73</sup> Fed. R. Civ. P. 11(b)(4).

<sup>74</sup> 28 U.S.C. § 1651(a) ("The Supreme Court and all courts established by Act of Congress may issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law.").

<sup>75</sup> *Ringgold-Lockhart v. County of Los Angeles*, 761 F.3d 1057, 1061–62 (9th Cir. 2014).

<sup>76</sup> *Id.* at 1062.

consequences. In other words, if Plaintiff continues to file suits of this nature, it is likely that Plaintiff may be precluded from fully accessing the court in the future.

**IT IS THEREFORE ORDERED:**

1. All of the above-captioned cases are **DISMISSED WITH PREJUDICE**, except *Clarke v. Barnhardt*, Case No. 1:22-cv-00053-RRB, which, out of an abundance of caution, the Court **DISMISSES WITHOUT PREJUDICE**, in the event Mr. Clarke needs to raise a merit-based appeal for Social Security benefits.
2. All pending motions are **DENIED AS MOOT**.
3. A final judgment shall issue in all above-captioned cases.

DATED this 27th day of July, 2022, at Anchorage, Alaska.

/s/ Ralph R. Beistline

RALPH R. BEISTLINE

Senior United States District Judge